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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,009	11/13/2003	Motofumi Baba	117646	6535
25944	7590	08/10/2005	EXAMINER	
OLIFF & BERRIDGE, PLC			ROYER, WILLIAM J	
P.O. BOX 19928			ART UNIT	
ALEXANDRIA, VA 22320			PAPER NUMBER	

2852

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,009

Applicant(s)

BABA ET AL.

Examiner

William J. Royer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11132003</u> . | 6) <input type="checkbox"/> Other: ____. |

Specification

The disclosure is objected to because of the following informalities:

In Figure 5, reference letter "D" is shown, however, reference letter "D" does not appear to be identified in the specification.

In paragraph [0024], line 15, change "with" to --- while ---.

In paragraph [0027], line 6, change "the fixing" to --- fixing ---.

In paragraph [0027], line 12, is "nit" correct or should "nit" be changed to -- nip --?

In paragraph [0034], line 2, change "the step" to --- step ---.

In paragraph [0035], line 1, after "explanatory" insert --- diagram ---.

In paragraph [0035], line 2, change "the step" to --- step ---.

In paragraph [0047], line 10, change "a pair of the rolls" to --- the pair of rolls ---.

In paragraph [0048], line 11, change "a gas jetting device" to --- gas jetting devices ---.

In paragraph [0052], line 14, change "10a-a" to --- 10a-1 ---.

In paragraph [0060], line 7, change "P advances" to --- advances ---.

In paragraph [0062], line 8, change "an delivery" to --- a delivery ---.

In paragraph [0062], line 9, change "an delivery roll" to --- delivery rolls ---.

In paragraph [0076], line 4, change "the peeling" to --- a peeling ---.

In paragraph [0076], line 6, change "the end" to --- an end ---.

In paragraph [0076], line 8, change "the tangent" to --- a tangent ---.

In paragraph [0078], line 10, change "end and" to --- face 8c and the ---.

In paragraph [0093], line 1, change "fist" to --- first ---.

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In paragraph [0098], line 4, change "10d" to --- 10c ---.

In paragraph [0105], line 7, change "18" to --- 17 ---.

In paragraph [0109], line 8, "at a downstream" fails to define a reference point (e.g., downstream of the nip).

In paragraph [0121], line 7, change "surface" to --- front face ---.

In paragraph [0123], line 7, change "in the" to --- in ---.

In paragraph [0130], line 4, change "potion" to --- portion ---.

In paragraph [0133], line 6, change "the roll" to --- a roll ---.

In paragraph [0146], line 2, change "the charging" to --- a charging ---.

In paragraph [0146], line 8, change "the transfer" to --- a transfer ---.

In paragraph [0147], line 6, change "the peeling" to --- a peeling ---.

In paragraph [0147], line 7, change "the discharging device" to --- a discharging device ---.

In paragraph [0151], line 6, change "charge eliminating device" to --- discharging device or charge eliminating device ---.

In paragraph [0159], line 4, change "Air holder" to -- Accumulator or air holder --.

In the abstract, line 3, change "the rotating" to --- a rotating ---.

Appropriate correction is required.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is

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requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

Claim 5 is objected to because of the following informalities:

Claim 5, line 1, change "the plural" to --- plural --- since only "a nozzle" is defined in Claim 4.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8-10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Edwards. Referring to Figures 1 and 2, a copying apparatus (i.e., image forming apparatus) is shown that includes: image forming means (i.e., toner image forming unit) for forming an unfixed toner image on a surface of a recording medium

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through an electrophotographic process and a fuser assembly 22 (i.e., fixing unit; fixing device) for fixing the toner image retained on the surface of the recording medium by heat and pressure, the fuser assembly having at least a hot roll 50 (i.e., heat rotating member) that rotates while a surface of the hot roll is heated, a backup roll 53 (i.e., pressure rotating member) that forms a fusing nip 64 (i.e., nip portion) with the hot roll; and a peeler bar means 24 (i.e., peeling device) for peeling off the recording medium that is conveyed while adhering to a surface of the hot roll. Referring to Figures 3-8, the peeler bar means includes a guide surface 71 (i.e., peeling guide plate) one side of which is close to a surface of the hot roll in a region where the surface of the hot roll advances while curving in the rotating direction, or on a downstream side of the region and which is disposed in a rotating direction of the hot roll; and a nozzle 68 (i.e., air jetting unit) that jets air toward a gap between the surface of the hot roll and the one side of the guide surface that is close to the surface of the hot roll from a region interposed between the surface of the hot roll and the surface of the guide surface that faces the surface of the hot roll. Further, it is disclosed that the jet may be operated for the first two inches of the recording medium (i.e., leading end) and that one or more additional air jets, such as 98 and 99 of Figure 5, may be added.

Claims 7, 11-13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Baughman et al. Referring to Figures 1 and 2, an image-forming machine 100 (i.e., image forming apparatus) is shown that includes: image forming means (i.e., toner

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image forming unit) for forming an unfixed toner image on a surface of a recording medium through an electrophotographic process and a fuser station 118 (i.e., fixing unit; fixing device) for fixing the toner image retained on the surface of the recording medium by heat and pressure, the fuser station having at least a fuser roller 124 (i.e., heat rotating member) that rotates while a surface of the fuser roller is heated, a pressure roller 122 (i.e., pressure rotating member) that forms a nip (i.e., nip portion) with the fuser roller; and a skive assembly 128 (i.e., peeling device) for peeling off the recording medium that is conveyed while adhering to a surface of the fuser roller. The skive assembly includes a front 128a (i.e., peeling guide plate) which is close to a surface of the fuser roller in a region where the surface of the fuser roller advances while curving in the rotating direction, or on a downstream side of the region and which is disposed in a rotating direction of the fuser roller, wherein the front of the skive assembly which is close to the surface of the fuser roller has at least one finger portion 132 (i.e., at least one portion) projecting toward the surface of the fuser roller. It is noted that it is disclosed that the lower and upper skive assemblies 126 and 128 may be interchanged.

Relevant Prior Art

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Siegel et al disclose a fuser that is provided with a stripper finger and an air jet to prevent a fused sheet from wrapping on the surface of a fuser roll.

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Shin discloses a claw apparatus that has an injection portion to inject air into a gap formed between a curved portion of the claw apparatus and a transfer roller.

Coleman et al disclose a non-contact fusing roller/media separation apparatus.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Royer whose telephone number is (571) 272-2140. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William J. Royer
Primary Examiner
Art Unit 2852

wjr
August 5, 2005